

WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING  
STOKES ASSEMBLY HALL, 1039 WILMINGTON PIKE  
Tuesday, January 17, 2012 7:30Pm

In attendance were Supervisors Chair Charles P. Barber, Vice Chair Thomas F. Haws, and Police Commissioner Carol R. De Wolf; Township Manager Robert Layman; Westtown-East Goshen Police Chief John M. Dumond; and Planning Commission Member David Walter. There were eight guests in attendance.

**I. Call to Order.**

As there was a quorum present, Chair Barber called the meeting to order at 7:37Pm. and led those present in the pledge of allegiance to the flag.

**II. Approval of Minutes (January 3, 2011 Reorganization and Regular Meeting).**

Ms. De Wolf made a motion, seconded by Mr. Haws, to approve the minutes of the January 3<sup>rd</sup>, 2012 Reorganization Meeting and Regular Board Meeting. Mr. Barber asked for public comment.

Richard Weaver, 1014 S. Chester Road, asked for a clarification of the position of Township Treasurer (Robert Layman) and Township Director of Finance (Jo Anne Grube). Ms. De Wolf explained Ms. Grube is a member of the Township staff and works under Mr. Layman. She stated that Ms. Grube helps create and monitors the budget, the Township's financial condition, and bond issue. Mr. Layman stated that Ms. Grube also handles the day to day Township financial operation and that as treasurer he and the Board sign the checks.

The Board of Supervisors unanimously approved the Reorganization meeting minutes as presented and the Regular meeting minutes as corrected (Section IV (Page 3 line ) correct to read. Mr. Haws advised Mr. Roth that he has seen the email from DEP to Mr. Roth pertaining to a DEP meeting where it was stated that the areas in the 2006 plan must be in the new plan. Section VI: C 1<sup>st</sup> paragraph change to reflect that the Manager's salary by law is set by the Board of Supervisors).

**III. Summary of Board of Supervisors Workshop 1/17/2012.**

Mr. Barber stated that the Board interviewed a candidate for the position of Township Fire Marshal with a decision to be made at a later date. The Board also continued discussions with representatives from Bozzuto concerning improvements the Township would required for the proposed apartments on the Crebilly tract. Representatives from URS were also in attendance to discuss the Act 537 plan update. There was a discussion of the employee health plan which was to be continued following the meeting.

**IV. Departmental Reports.**

**A. Westtown-East Goshen Police Chief John M. Dumond.**

Chief Dumond presented his report. He stated that the Department responded to 403 calls in Westtown in December. He also stated that the Department is investigating a one car accident in the 700 block of N. Chester Road. Mr. Barber inquired about the recent accident on Route 3 at Westtown Way between a police vehicle and a motorist. Chief Dumond responded that this is an ongoing investigation by the State Police and he cannot comment at this time. He stated that the officer was not injured.

**B. Township Solicitor Robert F. Adams.**

There were no agenda items for Mr. Adams this evening.

**C. Planning Commission – David Walter.**

Mr. Walter reported on the January 4<sup>th</sup> Planning Commission meeting. The Commission held an election of officers for 2012. Jim Lees and David Walters will continue as Chairman and Vice-Chairman, and Elaine Adler will continue as secretary. Mr. Walter stated that Timothy Burns, from the WCASD, was in attendance to discuss the proposed gravity sewer line from Westtown-Thornbury Elementary School to the Rustin Pump Station. Mr. Walter noted that the proposal is not consistent with the ACT 537 plan as the school is in the West Goshen Sewer District. Mr. Burns advised the Commission as the school has 79 EDU's for the Westtown-Chester Creek Plant which is in excess of what they are using at the High School the 6-7 EDU's for the elementary school would not be a problem. Mr. Walter stated that the Planning Commission is recommending approval of the Westtown-Thornbury sewer connection even though it is not consistent with the ACT 537 Plan. He stated the Commission feels the proposed plan is a logical application for providing public sewer to the school. Mr. Walters said the Commission reviewed a memo to revise the Uniform Construction Code pertaining to carports and temporary structures to require a permit and inspections for safety reasons. Mr. Layman said this would not be a zoning issue and should be presented to the Board for approval. Mr. Barber asked that the Planning Commission move forward on this. Mr. Layman stated as the updating of the Comprehensive Plan was not in the budget. The Township is applying for a Vision Partnership Program grant through Chester County which is no longer an entitlement but is now a competitive bid. Mr. Walter stated that the Commission will review the Conditional Use Application for a professional office building at 1630 West Chester Pike and review a sketch plan for a proposed Dunkin Donuts at 1500 West Chester Pike, the old Texaco Station. Ms. De Wolf asked about the lot size of the proposed office building and if it would be torn down or renovated. Mr. Walters responded they will know more when they review the plan. Mr. Layman said this is for a Conditional Use which will be presented to the Board for approval.

William Mallalieu, 1014 S. Chester Road, stated that there will be major traffic concerns with a Dunkin Donuts at the intersection of Route 3 and Manley Road. Mr. Mallalieu said that there is always trash on Route 352 from the Dunkin Donuts in the gas station on Route 3. He also stated that the residents were told that there would be no fast food allowed at the two service stations on the triangle but that is not true. Ms. De Wolf asked Mr. Layman to review what had been allowed on the triangle. Mr. Walters advised Mr. Mallalieu that the traffic issue would be reviewed as part of the plan.

Eva Foster, 734 Westbourne Road, said she feels it is unfair to the residents to require a permit for canvas carports. Ms. De Wolf responded that the Township is seeing more of these structures installed and feels that they change the integrity of a neighborhood. Mrs. Foster asked if the Township has received complaints about these structures. Mr. Barber stated that complaints have been received and the Township's concern is with the safety issue of these structures. Mrs. Foster said she contacted her insurance company and they do not have a problem with them. Mr. Haws stated that the Township's concern is that the structures are properly installed. He also stated that at the January 4<sup>th</sup>, 2012 Planning Commission meeting Mr. Foster said he was pleased to hear that the decision to require a permit for these structures was based solely on the safety issue. After additional discussion Mr. Haws stated that all that is being addressed is that temporary structures be permitted so that they are safely installed for their purpose and intent. Mrs. Foster asked if residents on Westbourne Road will be allowed to connect to public sewer when the sewer line is extended from the elementary school to the Rustin pump station. Mr. Barber responded that the Township is looking into this in relation to the updating of the Act 537 plan.

#### **V. Public Comment-Non Agenda Items.**

Mr. Mallalieu presented a letter to the Board addressing his concerns. His first concern is with the cost of the trash/recycling pickup as he would like the Township to have the "pay for bag" system because as it is fairer to residents with small amounts of refuse. Mr. Mallalieu also expressed dissatisfaction with the yard waste collections. Mr. Layman stated that the Township's contract with Blosenski ends this year and the Board will be preparing a bid and addressing these issues. Mr. Mallalieu stated that he has asked the Board continually to address the stormwater runoff

situation on Overhill Road and install curbing that would help to correct the situation. He stated that he does not want to wait to have this done as he does not know when or if public sewers will be installed. Ms. De Wolf advised Mr. Mallalieu that by April or May the Board will have a more definite time frame for public sewer in that area of the Township. She also asked if Mr. Layman or Mr. Gross has addressed the stormwater problem. Mr. Layman stated there are no storm drains on Overhill Road and that both he and Mr. Gross have made site visits. Ms. De Wolf asked that Mr. Gross take pictures and do an analysis of the situation. Mr. Mallalieu stated that there is still little evidence of the Police enforcing the speed limit on S. Chester Road. Chief Dumond will address this with the Traffic Unit. Mr. Mallalieu asked if the sewer plant would be over capacity if the proposed properties in the eastern end were connected. Mr. Haws responded that the Township has a permit for capacity but that the daily usage is low and additional homes can be connected. He also stated that under the Act 537 the permit limit can be increased. Ms. De Wolf stated that the Township is looking at the capacity and needs in certain areas of the Township and working on the time line for sewer installation.

Richard Weaver, 1014 S. Chester Road, asked the rationale of relocating the Township office to Oakbourne Mansion a "historic relic". Mr. Weaver said the Township would be spending millions to update the Mansion and still would not have a meeting room comparable to the one in this building unless the Mansion was rebuilt. He stated that this move is being justified by the fact that the current Municipal Building has more commercial value than the Mansion but that there are properties on Route 202 that are not being sold. Mr. Barber stated there is valuable land on Route 202 and that senior apartments and a new office building are being constructed in Westtown. Apartments are also being built in West Goshen on Route 202. Mr. Barber advised Mr. Weaver that at the present time the Board is not considering moving the Township office to Oakbourne. Mr. Weaver and the Board then discussed the redistricting of the State Legislature. Mr. Weaver stated that the 4<sup>th</sup> precinct where he lives will now be part of a Delaware County State Legislative district separate from the rest of Westtown. He asked what involvement the Board had in the redistricting. Mr. Haws responded redistricting was done on the 2010 census and that the Board has no involvement in this. Ms. De Wolf stated that the Board of course was aware of this but that it is not arbitrary and felt that having one precinct in Delaware County was not a negative thing. Mr. Haws said he felt that the Township might have better representation with Westtown issues. Mr. Weaver did not agree with this and stated that when he tried to contact Representative Sestak on a number of issues he was told that they did not represent him. Ms. De Wolf advised Mr. Weaver to contact the Township for help if this happens again. Mr. Haws said he is also in precinct 4 and that the redistricting is before the State Supreme Court for a hearing on January 23<sup>rd</sup> with a possibility that they will vote against the redistricting.

**VI. Old Business:**

There was no old business.

**VII. New Business.**

**A. Appoint Citizen At Large Westtown East Goshen Police Commission.**

Mr. Barber stated that in the Articles of Agreement between Westtown and East Goshen the "Citizen at Large" is to be chosen by the Charter Communities and that under the Police Services Agreement with Thornbury Township the "Citizen at Large" is to be a representative from Thornbury. Mr. Barber stated that Robert Miller will be the representative from Thornbury. He also stated that East Goshen has voted to make the appointment.

Ms. De Wolf stated that she has enjoyed working with Mr. Miller on the Police Commission. She then made a motion, seconded by Mr. Haws to appoint Robert Miller from Thornbury Township as "Citizen at Large" to the Police Commission. Mr. Barber asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the motion as presented.

**B. Approve Appointment Open Records Officer.**

Mr. Barber stated that the "Open Records Officer" is a yearly appointment and that Robert Layman will be reappointed as officer and that Helen Greer will be reappointed as assistant officer.

Ms. De Wolf made a motion, seconded by Mr. Haws, to reappoint Robert Layman as the Open Records Officer and reappoint Helen Greer as assistant Open Records Officer. Mr. Barber asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the motion as presented.

**C. Approve Resolutions 2012-4 Planning Modules – Westtown Thornbury Elementary School.**

Mr. Barber stated that the Board at its November 7, 2011 Board of Supervisors meeting had approve the submission to DEP of the Planning Modules for Westtown-Thornbury Elementary School. The Planning Modules have been completed by WCASD and are now ready to be submitted to DEP.

Ms. De Wolf made a motion, seconded by Mr. Haws, to approve Resolution 2012-4 Planning Modules – Westtown Thornbury Elementary School to be submitted to DEP. Mr. Barber asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the motion as presented.

**D. Announcements – CRC Seminar – Lawn Alternatives for the Real World.**

Mr. Barber announced that that Chester-Ridley-Crum-Creek Association will be holding a seminar on "Native Plants, Birds, Bees, Butterflies, and Healthy Watersheds: What's the Connection?" on Sunday February 12<sup>th</sup>. For more information please check the Township website ([www.westtownpa.org](http://www.westtownpa.org)) news and information page.

**VIII. Public Comment.**

There was no public comment.

**IX. Payment of Bills.**

On the motion of Ms. De Wolf, seconded by Mr. Haws, the Board of Supervisors unanimously approved the payment of the bills as presented.

**X. Adjournment.**

On the motion of Ms. De Wolf, seconded by Mr. Haws, the meeting was unanimously adjourned at 8:43Pm.

Respectfully Submitted,  
Robert Layman, Township Manager